

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1, 2, 4-6, 8-10, and 12 are pending in this case. Claims 1, 5, and 9 are amended by the present amendment with support in the originally filed disclosure at least at page 13, line 18, to page 15, line 17. Thus, no new matter is added.

The outstanding Office Action rejected Claims 1, 5, and 9 under 35 U.S.C. § 112, first paragraph, and rejected Claims 1, 2, 4-6, 8-10, and 12 under 35 U.S.C. § 103(a) as unpatentable over Kokubo (U.S. Patent No. 4,984,002) in view of Shepherd, et al. (U.S. Pub. No. 2003/0133026, herein "Shepherd").

Applicants gratefully acknowledge the withdrawal of the rejection of Claims 1, 5, and 9 under 35 U.S.C. § 112, first paragraph, by the Advisory Action of March 23, 2009.

Applicants traverse the rejection of the claims under 35 U.S.C. § 103(a).

Amended Claim 1 clarifies that "said exposure setup operation includes **setting a number of electric shutter pulses so as to adjust an exposure time**," and further clarifies that the imaging apparatus control part **shortens** the "**time till the generation of the next exposure period timing signal from the regular exposure period**," but the exposure time itself is set as part of the exposure setup operation.

With regard to the above-quoted features of Claim 1, the outstanding Office Action asserts that Shepherd teaches an exposure setup operation, defined by Claim 1 as "configured to set a number of electric shutter pulses," and asserts that Kokubo teaches all the other features of Claim 1. Specifically, the outstanding Office Action asserts, at page 4, the vertical sync. signal VD of Kokubo as teaching the exposure period timing signal as defined by Claim 1; the trigger signal of Kokubo as teaching the beginning of the exposure setup operation as defined by Claim 1; the count on counter 15 of Kokubo as teaching the

measured elapsed time as defined by Claim 1; and the delay trigger signal 21 of Kokubo as teaching a predetermined time as defined by Claim 1.

However, the counter 15 of Kokubo does not measure “elapsed time from the exposure period timing signal right before a beginning of an exposure setup operation to the beginning of the exposure setup operation,” but, instead, always counts to 525. Further, “time from the beginning of the exposure setup operation to a generation of a next exposure period timing signal” is not “calculated by using” the output of the counter 15 of Kokubo. Instead, as described at column 5, lines 11-32, the counter 15 output is used to generate a vertical synchronizing signal.

Shepherd does not cure the above-discussed deficiencies of Kokubo and is not asserted as teaching the features of Claim 1 that are discussed above as being deficient in Kokubo.

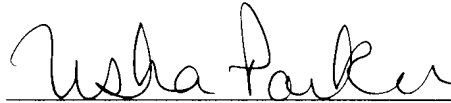
Thus, because the combination of Kokubo and Shepherd does not teach or suggest at least the above-discussed features of amended Claim 1, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of Claim 1 and Claims 2 and 4, which depend therefrom, be withdrawn.

Claims 5 and 9, though differing in scope and statutory class from Claim 1, patentably define over Kokubo and Shepherd for similar reasons as Claim 1. Thus, Applicants respectfully request that the rejection under 35 U.S.C. § 103(a) of Claim 5, Claims 5 and 8, which depend therefrom, Claim 9, and Claims 10 and 12, which depend therefrom, be withdrawn.

Consequently, in light of the amendments and the above discussion, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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